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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/675,049      | 09/29/2000  | Yasuhiro Kawakatsu   | 826.1629/JDH        | 9990             |

21,171 7590 07/01/2004

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| EXAMINER |
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GHEE, ASHANTI

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| ART UNIT | PAPER NUMBER |
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2626

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/675,049

Applicant(s)

KAWAKATSU ET AL.

Examiner

Ashanti Ghee

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 9-11, 14, 18 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12, 13, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2,5,6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 8, 12, 13, 16, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaneko (US Patent No. 6,167,562).

Regarding claims 1, 12, 13, 16, and 17, Kaneko discloses a dynamic image composition apparatus for combining and plotting one or more images, comprising: a plurality of plot information generating devices (first display 32, second display 33, col. 5, lines 57-67) generating (drawing) plot information (control data) used to plot a dynamic image (animation image reads on dynamic image; col. 7, lines 3-33); an image management device (system control section 60) managing (managing) image data of each image (col. 7, lines 54-col. 8, lines 1-8) and generating plot information (control data) at a present time (real time) of each image (images) by combining one or more pieces of information (combining character images with the background images, col. 11, lines 12-22) generated by one or more of the plurality of plot information generating devices (col. 5, lines 57-67 and col. 6, lines 37-col. 7, lines 1-12); and a plotting device (synthesis/output selecting circuit 51) receiving the image data (data) and the plot

information (control data) at the present time (real time) from the image management device (60) and plotting (creating) the image data (data) based on the plot information (control data) at the present time (real time; col. 6, lines 37-col. 7, lines 1-12).

Regarding claim 8, Kaneko discloses the dynamic image composition apparatus wherein said plot information generating device generates as the plot information information about a plot position on a screen of an image (col. 10, lines 64-col. 11, lines 1-23).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko (US Patent No. 6,167,562) in view of Enomoto et al. (US Patent No. 5,719,947).

Regarding claim 2, Kaneko does not disclose wherein said plot information generating device generates absolute plot information.

However, Enomoto discloses the dynamic image composition apparatus wherein said plot information generating device generates absolute plot information (col. 5, lines 26-37).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Enomoto due to both references disclosing systems that specialize in dynamic images to allow motional velocity vectors that are fundamental parameters with regard to the individual object to be easily grasped.

Regarding claim 4, Kanko discloses the dynamic image composition apparatus further comprising a plot information function management device storing one or more plot information functions (col. 6, lines 59-col. 7, lines 1-33).

Although Kaneko does not disclose plot information generating devices storing identification information nor calculating the plot information, Enomoto discloses wherein at least one of said plurality of said plot information generating devices store identification information for referring to a plot information function and calculates the plot information using the plot information function corresponding to the identification information (col. 5, lines 1-10 and col. 5, lines 53-63).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Enomoto due to both references disclosing systems that specialize in dynamic images to allow motional velocity vectors that are fundamental parameters with regard to the individual object to be easily grasped.

Regarding claim 5, Kaneko does not disclose a plot information string management device storing one or more plot information strings including discrete plot information, wherein at least one of said plurality of said plot information generating

devices store identification information for referring to a plot information string and calculates the plot information using the plot information string corresponding to the identification information.

However, Enomoto discloses the dynamic image composition apparatus further comprising a plot information string management device storing one or more plot information strings including discrete plot information (col. 5, lines 1-10 and col. 5, lines 53-63), wherein at least one of said plurality of said plot information generating devices store identification information for referring to a plot information string and calculates the plot information using the plot information string corresponding to the identification information (col. 5, lines 1-10 and col. 5, lines 53-63).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Enomoto due to both references disclosing systems that specialize in dynamic images to allow motional velocity vectors that are fundamental parameters with regard to the individual object to be easily grasped.

Regarding claim 6, Kaneko does not disclose said at least one of said plurality of said plot information generating devices calculate the plot information by performing interpolation using the discrete pot information included in the plot information string.

However, Enomoto discloses the dynamic image composition apparatus wherein said at least one of said plurality of said plot information generating devices calculate the plot information by performing interpolation using the discrete pot information included in the plot information string (col. 6, lines 35-47).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Enomoto due to both references disclosing systems that specialize in dynamic images to allow motional velocity vectors that are fundamental parameters with regard to the individual object to be easily grasped.

Regarding claim 7, Kaneko does not disclose said plot information generating device stores a parameter for modifying plot information and calculates the plot information using the parameter.

However, Enomoto discloses the dynamic image composition apparatus wherein said plot information generating device stores a parameter for modifying plot information and calculates the plot information using the parameter (col. 5, lines 53-63).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Enomoto due to both references disclosing systems that specialize in dynamic images to allow motional velocity vectors that are fundamental parameters with regard to the individual object to be easily grasped.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaneko (US Patent No. 6,167,562) in view of Bowen et al. (US Patent No. 6,147,695).

Regarding claim 3, Kaneko does not disclose said plot information generating device generates a difference of plot information between a previous time and the present time.

However, Bowen discloses the dynamic image composition apparatus wherein said plot information generating device generates a difference of plot information between a previous time and the present time (col. 12, lines 25-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Kaneko and Bowen due to both references disclosing systems that specialize in dynamic images to combine two or more video streams while maintaining few or no distortions.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakamoto (US Patent No. 6,088,480) discloses an image forming apparatus and image forming method.

Houskeeper (US Patent No. 6,014,163) discloses a multi-camera virtual set system employing still mode frame buffers for each camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashanti Ghee whose telephone number is (703) 306-3443. The examiner can normally be reached on Mon-Thurs and alt. Fri. (7-4PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone



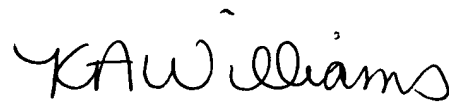
number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AG  
June 25, 2004

Ashanti Ghee  
Examiner  
Art Unit 2626



**KIMBERLY WILLIAMS**  
**SUPERVISORY PATENT EXAMINER**